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7 Attorneys for Defendants
8 HSBC MORTGAGE CORPORATION (USA) AND
HSBC BANK USA, N.A.
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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 Philip Wong, Frederic Chaussy, and Leslie
14 Marie Shearn, individually, on behalf of all
others similarly situated, and on behalf of
15 the general public,

16 Plaintiffs,

17 v.

18 HSBC Mortgage Corporation (USA);
HSBC Bank USA, N.A.; and DOES 1
19 through 50, inclusive,

20 Defendants.
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Case No. C 07 2446 MMC [ECF]

**[PROPOSED] ORDER GRANTING
DEFENDANTS HSBC MORTGAGE
CORPORATION (USA) AND HSBC BANK
USA, N.A.'S MOTION FOR RULE 11(C)
SANCTIONS**

Date: June 6, 2008
Time: 9:00 a.m.
Courtroom: 7 (19th Floor)
Judge: Hon. Maxine M. Chesney

On June 6, 2008, Defendants HSBC MORTGAGE CORPORATION (USA) AND HSBC BANK USA, N.A (hereinafter "Defendants") Motion for Rule 11(c) Sanctions came on for hearing at 9:00 a.m. before the Honorable Maxine M. Chesney. Plaintiffs and Defendants were both represented by counsel.

After considering all the papers filed in support of and in opposition to the Motion, as well as the argument of counsel, the Court issued the following rulings:

a. Nichols Kaster & Anderson ("NKA") are disqualified as class counsel due to their unethical conduct and conflicts of interest with putative class members;

b. Plaintiffs Philip Wong and Frederic Chaussy are disqualified as class representatives due to their failure to adequately represent putative class members;

c. E-mail communications exchanged between NKA and Plaintiff Philip Wong or Frederic Chaussy over Defendants' e-mail system are not protected by the attorney-client privilege.

d. The Court imposes monetary sanctions in the amount of \$_____ against NKA;

e. The Court imposes monetary sanctions in the amount of \$_____ against Philip Wong;

f. The Court imposes monetary sanctions in the amount of \$_____ against Frederic Chaussy;

g. The Court grants Defendants' attorneys' fees and costs associated with filing this motion.

IT IS SO ORDERED.

Dated: June __, 2008

HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT COURT JUDGE

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